

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHRISTIAN MORALES, et al.,

Plaintiffs,

against

BAREBURGER GROUP LLC, et al.,

Defendants.

CIVIL ACTION NO.: 15 Civ. 6497 (SLC)

**ORDER**

**SARAH L. CAVE, UNITED STATES MAGISTRATE JUDGE.**

The parties in this wage-and-hour case under the Fair Labor Standards Act (“FLSA”) have consented to this Court’s jurisdiction under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 (ECF No. 54), and have submitted a proposed settlement agreement and accompanying exhibits (ECF No. 61) for approval under Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015). Courts generally recognize a “strong presumption in favor of finding a settlement fair” in FLSA cases like this one, as courts are “not in as good a position as the parties to determine the reasonableness of a FLSA settlement.” Souza v. 65 St. Marks Bistro, No. 15 Civ. 327 (JLC), 2015 WL 7271747, at \*4 (S.D.N.Y. Nov. 6, 2015) (internal citation omitted).

Having carefully reviewed the settlement agreement and accompanying exhibits, the Court finds that all of the terms of the proposed settlement appear to be fair and reasonable under the totality of the circumstances and in light of the factors enumerated in Wolinsky v. Scholastic Inc., 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012).

Accordingly, the settlement is hereby **APPROVED**. Consistent with Paragraph 18 of the settlement agreement, the Court will retain jurisdiction over the settlement agreement for purposes of its enforcement. The parties are directed to file a proposed Stipulation and Order of Final Dismissal with Prejudice by **Tuesday, December 3, 2019**.

SO ORDERED.

Dated: November 22, 2019  
New York, New York

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**